

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEORGE HOWARD MANDOKA,

Defendant.

Case No. 1:15-cr-20418

Honorable Thomas L. Ludington
United States District Judge

Honorable Patricia T. Morris
United States Magistrate Judge

**ORDER ADOPTING REPORT AND RECOMMENDATION, DENYING
DEFENDANT’S § 2255 MOTION TO VACATE, AND GRANTING GOVERNMENT’S
MOTION TO DISMISS § 2255 PETITION**

In June 2016, a jury found Defendant George Howard Mandoka guilty of three counts of aggravated sexual assault, 18 U.S.C. §§ 1151, 1153, 2241(c); two counts of sexual abuse of a minor, 18 U.S.C. §§ 1151, 1153, 2243(a); two counts of abusive sexual contact, 18 U.S.C. §§ 1151, 1153, 2244(a)(2), (5); and one count of sexual abuse, 18 U.S.C. §§ 1151, 1153, 2242(2). Three months later, he was sentenced to five concurrent life sentences, two concurrent 15-year sentences, and one concurrent 3-year sentence. ECF No. 54 at PageID.224.

Defendant appealed, ECF Nos. 55; 56, and the Sixth Circuit affirmed Defendant’s convictions, *United States v. Mandoka*, 869 F.3d 448, 451 (6th Cir. 2017).

Sixty-two months later, Defendant filed a motion to vacate his sentence under 28 U.S.C. § 2255. ECF No. 68. The motion was referred to Magistrate Judge Patricia T. Morris, ECF No. 71, and then the Government filed a motion to dismiss it, ECF No. 73.

October 15, 2022, Judge Morris issued a Report and Recommendation (“R&R”) recommending that this Court dismiss Defendant’s Motion to Vacate as untimely and for lack of merit. ECF No. 75. Although the R&R states that Defendant may object to and seek review of the

R&R within 14 days of service, he has not filed any objections. He has therefore waived his right to appeal Judge Morris's findings. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the Report and Recommendation, ECF No. 75, is **ADOPTED**, that Defendant's Motion to Vacate, ECF No. 68 is **DENIED**, and that the Government's Motion to Dismiss, ECF No. 73, is **GRANTED**.

Dated: November 30, 2022

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge